

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2016

CORAM

THE HON'BLE MR. JUSTICE B.RAJENDRAN

WP.No.29630 of 2016

1.K.Ganesan
2.S.P.Mani
3.S.Pari
4.S.Valluvan

... Petitioners

Vs.

1.The Principal Secretary
Micro Small & Medium Enterprises Department (MSME)
Secretariat
Fort St.George
Chennai-600 009.
2.Managing Director
Tamil Nadu Small Industries Development Corporation
SIDCO Electronics Complex
Thiru.Vi.Ka.Industrial Estate
Guindy
Chennai-600 032.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, to direct the respondents to consider the representation of the petitioners, dated 15.12.2014 and to pass necessary orders to promote the petitioners based upon their experience and qualification to the post of Assistant Executive Engineer and pass such further orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioners: Mr.R.Kannan

For Respondents: Mr.R.Venkatesh
Government Advocate

O R D E R

By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondents to consider the representation of the petitioners, dated 15.12.2014 and to pass necessary orders to promote the petitioners based upon their experience and qualification to the post of Assistant Executive Engineer.

3. The petitioners joined the service of the 2nd respondent as Technical Assistant on temporary basis during 1985 to 1987 with the educational qualification of Diploma in Civil Engineering and their service was regularized on 07.07.2000 with regular time scale of Work Inspector Grade-I. From 18.07.2000 onwards, the petitioners have been working in SIDCO at various levels as Work Inspector Grade-I, Work Inspector Grade-II, Technical Assistant and now as Junior Engineer for more than 25 years in the construction field. In all the cadres, the petitioners have done the similar duties of Junior Engineer and therefore, according to the petitioners, they have put in total service of 25 years in the construction wing of SIDCO by executing the development works with all type of construction at various places of the 2nd respondent Corporation. The petitioners made a representation on 15.12.2014 seeking to consider their service and experience in the Corporation as Junior Engineer for promotion to the post of Assistant Executive Engineer, but, till dat, there was no response. Hence, the present Writ Petition has been filed seeking the relief stated supra.

4. Mr.R.Kannan, the learned counsel for the petitioners would submit that the petitioners would be satisfied, if the 2nd respondent is directed to consider the representation of the petitioners, dated 15.12.2014, and to pass appropriate orders.

5. Mr.R.Venkatesh, the learned Government Advocate, who took notice on behalf of the respondents, has got no serious objection in directing the 2nd respondent to consider the representation of the petitioners, dated 15.12.2014 and to pass appropriate orders, on merits and in accordance with law.

6. Having regard to above, this Court, without going into the merits of the claim made by the petitioners, directs the 2nd respondent to consider the representation of the petitioners, dated 15.12.2014, and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioners.

7. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

- 1.The Principal Secretary
Micro Small & Medium Enterprises Department (MSME)
Secretariat
Fort St.George
Chennai-600 009.
- 2.Managing Director
Tamil Nadu Small Industries Development Corporation
SIDCO Electronics Complex
Thiru.Vi.Ka.Industrial Estate
Guindy
Chennai-600 032.

+1cc to Mr.R.Kannan, Advocate Sr.48455

W.P.No.29630 of 2016

lrs[col]
srg 21/06/2016

सत्यमेव जयते

WEB COPY